

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

WASHINGTON MCCASKILL

PLAINTIFF

VS.

CIVIL ACTION NO. 3:10CV872 DPJ-FKB

RANDY SMITH

DEFENDANT

ORDER

This cause came on this date to be heard upon the unopposed Report and Recommendation of the United States Magistrate Judge, after referral of hearing by this Court. Magistrate Judge Ball recommended dismissal this action for failure to prosecute. The Court, having fully reviewed the unopposed Report and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge F. Keith Ball be, and the same is hereby, adopted as the finding of this Court, and the same entire action should be dismissed without prejudice.

A separate judgment will be entered herein in accordance with the Order as required by Rule 58 of the Federal Rules of Civil Procedure.

**SO ORDERED AND ADJUDGED** this the 11<sup>th</sup> day of April, 2012.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE